

## **MEDICAL MARIJUANA/CANNABIS TASK FORCE**

**MEETING SUMMARY FOR  
FRIDAY, SEPTEMBER 19, 2003 @ 12 NOON**

**EXECUTIVE COMPLEX - 5<sup>TH</sup> FLOOR  
1010 SECOND AVENUE**

**For Information contact Ed Plank (236-6433).**

### **Attendees:**

**The following Task Force members were in attendance: Chair: Jerry Meier, Michael Bartelmo, Mike Barbee, Larry Chaidez, Conley Major and Ann Shanahan-Walsh.**

**Staff present were Lisa Foster, Staajabu Heshimu, Ed Plank and Lt. Cesar Solis.**

### **Chair's Report: Council Approval of Ordinance on Voluntary Verification Card Program including Possession and Cultivation Guidelines**

**The Chair expressed his appreciation for those who had attended the recent Council hearing at which the City Council had approved the Amendments to the Municipal Code which incorporated the Council approved Law Enforcement Guidelines on Possession and Cultivation of Medical Cannabis. It was noted that the second reading of the Ordinance would likely be scheduled as a "consent" item two weeks from the date of introduction, however public testimony would be taken if there were speakers in opposition or support. Lisa noted that the Council did make some additional changes to the Ordinance including: Minors (under 18 years of age) are not eligible to participate as either patients or caregivers, outdoor greenhouses must be locked, and smoking in public was changed to be prohibited as an infraction rather than as a misdemeanor.**

### **Fund Raising Effort**

**A second individual has expressed interest in making a significant contribution toward the start up cost of the Verification Card Program. The Chair will have further conversations with this potential donor. If a commitment can be attained, then the Task Force should be able to leverage this with a \$ for \$ match from the initial donor. This could provide a substantial portion of the necessary funding and allow the RFP to be issued.**

### **Code of Conduct**

**A copy of the Caregiver Code of Conduct was distributed and discussed. It was noted that the language needed to be consistent with the Ordinance that was approved. The Task Force tentatively approved changing the guideline that a caregiver "should not seek to make a profit" to the specific ordinance language which states that "Caregivers shall only charge the amount necessary to reimburse for the direct and actual costs of growing marijuana". Also, language was revised such that a Caregiver "shall" require all patients to apply for the Verification Card, and a reference to the specific section of the Municipal**

Code was included. Finally, a guideline was added encouraging patients and caregivers to notify one another if there is a change in their status or their card is invalidated for any reason.

The Chair asked that this language be incorporated and distributed to the Task Force for final approval at the October meeting.

#### **Request for Proposals on Verification Card Program**

Issue of confidentiality of information was raised, especially the comment at Council over inclusion of the physician name on the Verification Card. It was pointed out that the Ordinance language specifically states that the records shall contain the name and contact information for the recommending physician. The Ordinance states that all forms (application documentation) containing medical information shall be returned to the applicant and under no circumstances is personal medical information to be included in the record.

#### **Other Business**

Senate Bill 420 which would require County Health Departments to establish voluntary verification card programs for medical cannabis patients and caregivers passed the legislation and was on the governor's desk. The Chair expressed uncertainty over whether the legislation would be signed, but also noted that if approved it could take years for the County of San Diego to put a program in place. Chair noted that the Bill provided for portions of the card fee to be paid for with MediCal funds. Larry Chaidez pointed out that if the MediCal \$s were made up, in part, by federal dollars then federal government would not allow the use of these funds for card program costs given the federal classification of cannabis.

#### **Public Comment**

Comment questioned status of non-profits regarding RFP response

Comment congratulating Task Force on Ordinance approval by City Council

Comment encouraging outreach to District Attorney's Office to stay aware of their work and to keep them informed. Staff to contact Juliana Humphrey regarding knowledge of status of DA position development

Comment questioning position of new Police Chief on Medicinal Cannabis. Noted that the Chief had indicated support for the law.

Comment that NORMAL was opening a local office.

Comment encouraging change in federal policy - potential for lawsuit to clarify position local officials take on the State vs. Federal law

Comment on the value of understanding how Cannabis works in providing medical relief, and how this knowledge can address misperceptions about Cannabis use